

Applicants: Beth E. Borowsky, et al.  
U.S. Serial No.: 09/899,732  
Filed: July 5, 2001  
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and anxiety are not classified as separate diseases indicated that all claims will be examined asserted that claims 198-214 are generic to a plurality of disclosed patentably distinct species comprising the compounds listed in the specification as Compounds 1-141. The Examiner stated that applicant is required under 35 U.S.C. 121 to elect a single disclosed species, even though this requirement is traversed.

In response, applicants elect, with traversel, compound 10. Applicants respectfully traverse the Examiner's requirement for an election of species and maintain that claims 198-214 encompass the use of compounds 1-141, which are all related as examples of MCH1 antagonists that share a common function and effect.

Applicants maintain that the claims are directed to MCH1 antagonists that share the same use (treatment of depression and anxiety). Applicants further maintain that the claimed MCH1 antagonists share the same identifying characteristics, such as binding affinity and binding specificity, that are essential to this use. Applicants maintain that such identifying characteristics are disclosed in Table 1 for Example Nos. 1-141.

Accordingly, in view of the preceding remarks, applicants respectively requests that the Examiner reconsider and withdraw the requirement for an election of species.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.



Applicants: Boleslaw E. Borowsky, et al.  
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No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

3/24/03  
John P. White Date  
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